

# MEMO ENDORSED

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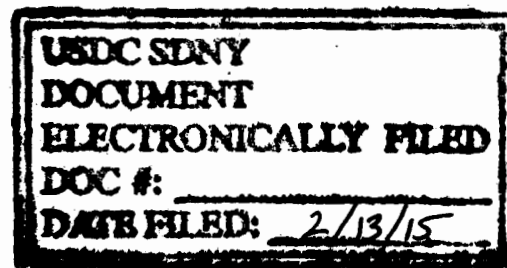
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Respond to New York, New York Address

February 13, 2015

BY ECF

Honorable Henry B. Pitman  
United States District Court – Southern District of New York  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, New York 10007-1312



Re: *Sea Trade Maritime Corporation et al. -v- Stelios Coutsodontis et al.*  
1:09-cv-00488 (LGS)(HBP)  
Our File No. 26,090

Dear Judge Pitman:

We represent STELIOS COUTSODONTIS and FRANCESCA ELENI COUTSODONTIS, defendants in the above-reference action. We are writing in response to (1) this Court's bench order of Wednesday, February 11, 2015 directing Defendant Stelios Coutsodontis to produce a copy of his IRS 3520 filing and (2) Plaintiffs' February 12, 2015 letter to Judge Schofield (Doc. No. 205).

During the February 11, 2015 compliance conference, the Court held that there had been substantial compliance by Defendants with Plaintiffs' April, 2014 document production request and that no sanctions would issue against Defendants. The Court further ordered that Defendants produce copies of Defendant Stelios Coutsodontis' IRS 3520 filing together with the IRS' blessing of the filing (Notice of Case Resolution letter) no later than Friday, February 13, 2015, despite the fact that request for these documents had not been included in Plaintiffs' April, 2014 document production request. Indeed, Plaintiffs admitted that this request was pursuant to a document request that arose in a deposition in a state court action.

On Thursday, February 12, 2015 at approximately 3:00 P.M., Defendants produced the requested documents by way of ECF filing 204 without objection, protest, or other comment by Plaintiffs. Four (4) hours later, at approximately 7:00 P.M., Plaintiffs wrote to Judge Schofield, reporting that this Court had ordered that "(2) Coutsodontis has until February 13, 2015 to produce documents supporting that the IRS 'blessed' an alleged \$3 million 'loan' from Coutsodontis to General Maritime." (See Doc. No. 205.) Plaintiffs (1) failed to report to Judge Schofield Defendants'

The Honorable Henry B. Pitman  
United States Magistrate Judge  
United States District Court  
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compliance with this Court's bench order of February 11, 2015 or (2) otherwise object, protest, or comment as to Defendants' document production. Plaintiffs, instead, chose to once again disingenuously expand its discovery request, in this case, doing so without first communicating same with this Honorable Court.

While a written order has not yet issued from this Court, our conference notes specifically identify the documents ordered to be produced to be Defendant Stelios Coutsodontis' IRS 3520 filing together with the IRS' blessing of the filing (Notice of Case Resolution letter) no later than Friday, February 13, 2015. Defendants complied with this Court's bench order on Thursday, February 12, 2015, at approximately 3:00 P.M. (Doc. No. 204). We again note that these documents were produced without objection, protest, or other comment by Plaintiffs.

Defendants are appalled that Plaintiffs would write directly to Judge Schofield misrepresenting this Court's bench order rather than directing any compliance questions they might have to this Court—particularly when, as this Court already questioned, the discovery sought is irrelevant to Plaintiffs' claims. The IRS 3520 documents ordered produced by this Court were already outside Plaintiffs' April, 2014 document production request. This Court nonetheless granted Plaintiffs great leeway in allowing the production of the additional IRS filing documents. Defendants respectfully submit that there must be an end to Plaintiffs' efforts to have this Honorable Court expand yet again Plaintiffs' discovery net.

In light of Plaintiffs' latest actions, Defendants respectfully request that this Honorable Court rule that Defendants have complied with this Court's bench order and that discovery is closed.

Respectfully,

**POLES TUBLIN STRATAKIS & GONZALEZ, LLP**

/s/ John G. Poles

John G. Poles

JGP:djf

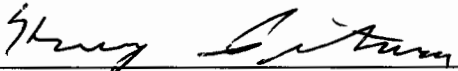
ENDORSEMENT

Sea Trade Maritime Corp., et al. v. Stelios Coutasodontis, et al.  
09 Civ. 488 (LGS) (HBP)

Because plaintiff has not raised any issue concerning the completeness of the documents defendants produced on February 12, 2015, there is no issue that is ripe for decision. Accordingly, I express no opinion at this time concerning the sufficiency of defendants' February 12, 2015 document production.

Dated: New York, New York  
February 13, 2015

SO ORDERED

  
HENRY PITMAN  
United States Magistrate Judge

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